

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRENDA DAVIES, Personal)
Representative of the Estate of Duane)
E. Davies, Deceased,)

Plaintiff,)

v.)

BNSF RAILWAY COMPANY, a)
Delaware Corporation, and BOX)
BUTTE COUNTY, NEBRASKA,)
(for purposes of apportionment only),)

Defendants.)

4:08CV3203

ORDER

Defendant BNSF Railway Company has filed a motion (filing [26](#)) to extend the deadlines for filing motions to dismiss and/or motions for summary judgment and for disclosure of BNSF's experts due to Plaintiff's counsel's failure to comply with the court's previous order (filing [23](#)) to produce initial disclosures, answers to BNSF's interrogatories, and responses to BNSF's requests for production of documents by April 29, 2009. I shall grant Defendant's motion.

IT IS ORDERED:

1. Defendant BNSF Railway Company's motion (filing [26](#)) to extend the deadlines set forth in the court's prior order (filing [14](#)) for filing motions to dismiss and/or motions for summary judgment and for disclosure of BNSF's experts is granted;

2. The deadline for filing motions to dismiss and/or motions for summary

judgment is extended to June 15, 2009;

3. The deadline for BNSF's disclosure of experts is extended to June 29, 2009.

DATED this 6th day of May, 2009.

BY THE COURT:
s/ Richard G. Kopf
United States District Judge